

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION**

CIVIL NO. 1:99CV268

**STEVE E. ASHE, and wife DEBORAH)
ANN SCOTT ASHE, *et al.*;)**

Plaintiffs,)

Vs.)

A.W. CHESTERTON, INC., *et al.*,)

Defendants.)

ORDER

THIS MATTER is before the Court on three letters from counsel concerning the most efficient manner in which to group the above cases for trial during the October 22, 2007, asbestos term of Court.

The Defendants ask the Court to group trials of Plaintiffs either alphabetically or by order listed in the caption of the complaint.¹ There is no logic behind this request. Such groupings would make management and trial of the cases unduly burdensome. Plaintiffs request groupings according to job sites within the Ecusta plant.

¹Because the Defendants have already notified the Court of their proposed groupings, the Court finds the second paragraph of the April 2, 2007, Order has been satisfied.

In the Court's experience, trial of these cases is most efficient when the Plaintiffs are grouped according to similar job locations. Since the Defendants' proposals would make trial lengthy and confusing, they will be rejected.

The October trials will be divided into the following trial groups. These groups are listed in the order they will be called for trial. If any trial group settles, the next group shall be moved up and into the vacant place for trial.

GROUP 1 -

Rhonda Debruhl, Administrator of the Estate of Fred Davis,
Deceased
Ruth G. Summey, Individually and as Executrix of the Estate of Clyde
C. Summey, Deceased
Ben Bolt, and wife Flora Mae McCall Bolt
John D. Ezell, and wife Aileen Rodgers Ezell
Franklin L. McCall, and wife Betty Lambert McCall
John C. Chapman, and wife Iva Lee Anders Chapman
Thomas J. Woods, and wife Alicia Jean Woods
Larry W. Gregory

GROUP 2 -

Fred C. Bryson, and wife Mary B. Bryson
Arthur A. McCall, and wife Edith English McCall
David H. Corn, and wife Phyllis Bowen Corn
Robert P. Grant, and wife Doris Patterson Grant
Frank A. Stevens, and wife Ruby Irene Stevens
Thomas B. Heaton, and wife Ella Mae P. Heaton
Benjamin F. McCall, and wife Donnie Vee McCall

Bronith Shook, as Administrator of the Estate of Vance Randall Shook, Deceased

GROUP 3 -

Charles N. Shook, as Executor of the Estate of Vance F. Shook, Deceased
James T. Mahoney, Jr., and wife Brenda Faye J. Mahoney
William L. Mooney, Sr., and wife Billie Farmer Mooney
Robert H. Crowe, and wife Marian Crowe
Bradley H. Snipes, and wife Eleanor E. Snipes
Charles E. Whitemire, and wife Bobbie Jean Whitemire
Sherrell P. McCrary, and wife Velma Earlene McCrary
Joe B. Rogers, and wife June Rogers

GROUP 4 -

Albert W. Williams, and wife Carolyn Williams
Rufus S. McCall, and wife Margaret Pauline R. McCall
Homer R. Blythe, and wife Ann English Blythe
William H. Gaddy, Sr., and wife Myrtle N. Gaddy
Danny L. Duckworth
Clyde C. Galloway, and wife Belle T. Galloway
James D. McCall
Claude S. Goodson, and wife Darlene Goodson

GROUP 5 -

Benny L. Mooney, and wife Mildred Ruth H. Mooney
William P. McKelvey
Jimmy G. Miller, and wife Linda Galloway Miller
George H. Newman, and wife Virginia H. Newman
Remus L. Roper, and wife Shirley Roper
Patricia M. Crouch, as Executrix of the Estate of Tarlie E. Moore, Deceased, and Beulah C. Moore
Robert A. Smith, and wife Margorie L. Smith
Maggie C. Krider, Individually and as Personal Representative of the Estate of Thomas Krider, Deceased

GROUP 6 -

Douglas G. Sentelle, and wife Cindy Sentelle
Frank H. Barton
Ernest R. Maney, and wife Barbara Green Maney
Bruce D. Smith, and wife Delores H. Smith
Ethel Irene J. Sitton, Individually and as Executrix of the Estate of Ed
J. Sitton, Deceased
Paul D. Seagle, and wife Linda M. Seagle
Steve E. Ashe, and wife Deborah Ann Scott Ashe
Marilyn S. Jarrett, Individually and as Executrix of the Estate of
Douglas L. Jarrett, Deceased

GROUP 7 -

Shirley Eugene Bracken, and wife Annie Jo Sherril Bracken
Sally R. Fletcher, Individually and as Executrix of the Estate of Carroll
D. Fletcher, Deceased
Juanita W. Watson
Allen E. Chapman, and wife Sandra Fisher Chapman
Mary M. Owen
Carroll F. Owen, and wife Cynthia Spivey Owen
Willie E. Harron
Richard L. Hissa, and wife Priscilla B. Hissa

GROUP 8 -

James C. Goforth, and wife Thelma W. Goforth
Betty N. Michael, Individually and as Executrix of the Estate of John
A. Michael, Deceased
Nettie L. Sitton
William H. Hall, Jr., and wife Wanda D. Hall
Peggy Loflin, as Administrator of the Estate of James H. Morris,
Deceased
Roscoe H. Ponder, and wife Grace Julie R. Ponder
Phillip E. Owens, and wife Dorothy Lorena W. Owens
Edna Mae Fewell

IT IS SO ORDERED.

Signed: April 26, 2007

A handwritten signature in dark ink, appearing to read 'L. H. Thornburg', is written over a horizontal line.

Lacy H. Thornburg
United States District Judge

